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Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004)

I. Introduction

1. In paragraph 30 of its resolution 1546 (2004) of 8 June 2004, the Security Council requested the Secretary-General to report to the Council within three months from the date of the resolution on the operations of the United Nations Assistance Mission for Iraq (UNAMI) and, on a quarterly basis thereafter, on the progress made towards national elections and the fulfilment of all of the Mission's responsibilities. The present report is the third submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the last report (S/2004/959 of 8 December 2004). It provides a summary of key developments in Iraq, particularly with regard to the political process and regional developments pertaining to Iraq. It also describes United Nations electoral assistance activities for the elections that took place on 30 January 2005, as well as the main activities of UNAMI during the period under review, including operational aspects. In addition, it provides an update on security issues, including an assessment of the security situation and an update on security arrangements for the United Nations presence in Iraq.

II. Summary of key developments in Iraq

A. Political process

3. During the period under review, the main focus of the transition process was the holding of direct, democratic elections within the time frame endorsed by the Security Council in resolution 1546 (2004). Until election day, 30 January 2005, the main issues of debate both inside and outside Iraq were whether conditions would permit the holding of credible elections as scheduled and whether more time was needed to persuade groups sceptical about or opposed to the transition process to join in. Many of the neighbouring States expressed concern over the political and security implications that could arise if the elections were held but were not judged to be successful by the Iraqi people and the international community. Through public pronouncements and direct contacts, the Interim Iraqi Government was engaged in outreach efforts to encourage participation in the elections. By and large, these efforts were not sufficient. The Independent Electoral Commission of Iraq,

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vested with exclusive jurisdiction for the oversight, organization and conduct of the transitional elections, determined that there were no technical reasons for not proceeding as scheduled.

4. In his meetings with Iraqi interlocutors, my Special Representative for Iraq, Ashraf Qazi, continued to urge the creation of conditions in which all segments of the Iraqi political spectrum, including Arab Sunnis, were able to participate. In support of my Special Representative's efforts, I conveyed the message that the elections were a crucial first step towards a new constitution and a free and stable Iraq. I also made it clear that there could never be any justification for murder and intimidation of voters, candidates and election workers. All Iraqis who chose to vote had a right to do so in freedom and safety.

5. On election day, more than 8.5 million Iraqis out of a voter population of more than 14 million turned out to exercise their democratic right to vote, despite concerns about the security environment, attempts at disruption and ongoing violence. While the turnout in most areas was high, it was significantly low in others and among some groups, especially Arab Sunnis. The conduct of the elections met recognized standards in terms of organization, regulations and procedures. The number of serious irregularities and complaints conveyed to the Independent Electoral Commission was relatively small. All these complaints are being investigated and addressed by the Commission.

6. The elections mark a significant development in Iraq's transition to democratic government, as outlined in Security Council resolution 1546 (2004). They provide a starting point for addressing legitimate interests and grievances peacefully through dialogue and compromise. The overall voter turnout, the enthusiasm with which voters participated and the failure of efforts to disrupt the proceedings through violence and intimidation have brought positive responses from both inside and outside Iraq, including from the Security Council.

7. Since the elections, a number of Iraqi political leaders from successful electoral lists have signalled clearly that they are ready to invite prominent and representative leaders from Arab Sunni communities to participate in the Transitional Government and in the constitution-making process, so as to ensure balanced representation in both. Similarly, a number of Arab Sunni and Arab nationalist political entities that did not participate in the elections, or had urged a boycott or postponement, have declared that their points of view must be included in the next steps of the transition and that they have the right to participate fully in the drafting of a permanent constitution.

8. Efforts are under way to prepare for the convening of the Transitional National Assembly, which will consist of 275 members. It is generally assumed that the Assembly will not be convened before the parties have reached agreement on the composition of the Government. There is a similar process in respect of key Government posts, including the presidency (i.e., the President and the two Vice-Presidents), as well the Prime Minister and members of the Council of Ministers.

9. Progress in the political process remains heavily influenced by the security situation, which continues to pose a serious challenge. The large number of casualties among Iraqi police and security forces, and inadequate judicial protection, remain serious impediments to law enforcement. Restrictions of freedoms have remained in place because of the extension until the end of February 2005 of the

Order for Safeguarding National Security in all parts of Iraq except the three northern governorates. Curfews, restrictions on movement and other measures have been imposed and eased at regular intervals in most parts of the country, on the basis of that Order. On 3 March 2005, the Interim Iraqi Government announced that it would extend the Order for a further 30 days, from 28 February. The conflict in Iraq continues to take a heavy toll, including among civilians. Figures concerning the number of casualties remain uncertain.

10. In Fallujah, extensive damage to the town's civilian infrastructure, as well as restrictions imposed by the Order for Safeguarding National Security, hampered the return of its displaced population. Teams from the Ministry of Industry and Minerals, the focal-point Ministry for Fallujah, have now completed the housing assessments and have presented their report to the Minister. The total damage for all residences in Fallujah was assessed at $493 million. The Ministry of Industry and Minerals is to disburse $103 million in funds, allotted on the basis of the percentage of actual damage to each home, and the new Government will determine further compensation.

11. At the end of February 2005, the multinational force and Iraqi security forces mounted a counter-insurgency campaign in Anbar province, including Ramadi. The multinational force stated that it was using the "full spectrum of military tactics". My Special Representative conveyed to the Interim Government and the multinational force concern over the potential political and humanitarian consequences of an escalation of the situation.

12. The security situation remains fragile, as demonstrated by the resumption of daily attacks against Iraqis and foreigners alike immediately after the elections, including a terrorist attack in Hillah on 28 February, in which over 120 civilians, police and National Guard volunteers were killed and over 140 injured. Accordingly, I hope that Iraqis will seize the momentum gained from the elections to enable the political process to have a positive impact on the security situation.

B. Regional developments pertaining to Iraq

13. The seventh meeting of the neighbouring countries of Iraq was held in Amman on 5 and 6 January 2005, attended by the Foreign Ministers of Bahrain, Jordan, Saudi Arabia, Iraq, Turkey and the Syrian Arab Republic, the Deputy Foreign Minister of the Islamic Republic of Iran and my Special Representative. The meeting reviewed the challenge of holding an election in the prevailing security environment. Participants agreed on the importance of the elections for Iraq's political transition, including the drafting of a constitution, the subsequent referendum and the election of a constitutional Government. Iraq's identity as an Arab State was affirmed, and all delegates reaffirmed their country's commitment to non-interference in Iraq's internal affairs. The meeting concluded with the participants urging Iraqis to participate in the elections and expressing support for United Nations efforts in fulfilling its mandate under resolution 1546 (2004).

14. In the concluding communiqué, participants confirmed their readiness to cooperate with the Interim Government of Iraq, to broaden political participation in the spirit of national dialogue and consensus-building and to promote Iraq's transition to a united, democratic and pluralistic State, with a federal structure, if so decided by the Iraqi people, in which political and human rights are observed and

bilateral and regional treaties and agreements are respected by all countries concerned, and living in peace with its neighbours.

15. On 11 January 2005, the follow-up meeting to the international ministerial meeting on Iraq held in Sharm el-Sheikh on 23 November 2004 was held in Cairo. The meeting reviewed the implementation of paragraph 14 of the Sharm el-Sheikh communiqué and was attended by Iraq, Jordan, Kuwait, Saudi Arabia, the Syrian Arab Republic, Turkey, the United States of America, Canada, China, Japan, the Russian Federation, France, Germany, Italy, the Netherlands Presidency of the European Union and the United Kingdom of Great Britain and Northern Ireland. The United Nations and the League of Arab States also attended the meeting. In addition to reaffirming the call on all Iraqis made at the Sharm el-Sheikh meeting to participate in the elections, several delegates emphasized the need for the political process to create conditions conducive to greater stability and reconstruction efforts.

16. The next meetings between Iraq, its neighbours and Egypt — one at the level of Foreign Ministers and another at the level of Interior Ministers in follow-up to the meeting in Tehran held on 30 November 2004 — are planned to take place in Turkey in the near future.

III. Electoral assistance activities

17. The Transitional Administrative Law required 20 elections to be held simultaneously, for the Transitional National Assembly, 18 governorate councils and the Kurdistan Assembly, by no later than 31 January 2005. The period of December 2004 and January 2005 was therefore critical for making final preparations. The elections were organized and conducted by Iraqis under the oversight of the Independent Electoral Commission of Iraq. In implementing its mandate, the Commission oversaw and directed the work of 1,000 Iraqi core staff and over 20,000 Iraqi temporary electoral workers. The Commission was able to complete all the necessary technical preparations for credible and genuine elections against the background of a fragile political environment and continuing concerns about the security situation.

18. In fulfilling its task, the Commission was supported by an international electoral assistance team led by the United Nations, which, in addition to 43 United Nations experts — 22 in Baghdad, 16 in Amman and 5 at United Nations Headquarters — included three experts from the European Union, two from the United Kingdom of Great Britain and Northern Ireland, one from Chile, and nine from the International Foundation for Election Systems. The international team provided technical, logistical, financial and administrative assistance to the Independent Electoral Commission throughout the electoral process.

19. Critical preparations in December and January were focused on ensuring that all the necessary technical arrangements were in place to hold the elections as scheduled. The preparations built upon the foundations that had been established in the design of the Independent Electoral Commission, the electoral law and the complementary political party and entity law. The short time frame for the organization of the elections led to the overlapping of many tasks in the last two months before election day. While political entities, candidates, party agents, media agents and national and international observers were being registered, the voters'

roll was being completed, staff were recruited and trained for polling and public information campaigns were launched and conducted.

20. The logistical challenges for preparing the elections were daunting. Forty-nine and a half million ballots were required for the elections. Moreover, the production of the ballots and other materials required the completion of preceding steps, such as the registration of parties and candidates, which was extended. Nevertheless, between 17 and 29 January an international logistics team ensured the delivery of 2.8 million kilograms of electoral material into Iraq. These materials were sourced from four continents, delivered to 24 warehouses throughout Iraq and then distributed to 5,243 polling centres.

21. Throughout its work, the Independent Electoral Commission's guiding principles were transparency and inclusiveness. The Commission accredited more than 2,000 media personnel throughout the country, half of whom were Iraqi, the remainder being international and Arabic media representatives. The Commission also established a media centre in the Iraqi National Convention Centre located within the international zone. The media centre operated from 25 January to 6 February. In addition, the Commission accredited 33,141 national observers, 622 international observers and 61,725 agents of political parties and entities to observe the electoral process. The United Nations actively encouraged the development of election observer groups and established a dedicated project for this purpose.

22. The uncertain political environment and security conditions necessitated a range of contingencies and special measures. Within the limits of its mandate, the Independent Electoral Commission implemented several special measures to enhance inclusiveness and participation. Voters from several locations where military operations were conducted, or where security conditions were deemed problematic, were able to cast their votes in the national election at any polling station in the country. Also, voters from the Ninewa and Anbar governorates were able to register and vote at any polling station in the country. A final special measure was implemented in the course of polling day, which permitted selected polling centres to remain open longer, if the Commission determined that access had been obstructed or the period of operation affected.

23. The Independent Electoral Commission worked extensively with national and international security forces. This cooperation allowed for the establishment of a close network and the coordination of resources, which provided a viable security framework for the elections. The security plan put in place, including the closure of borders and a ban on vehicle movements, created a security environment that permitted electoral staff to carry out their work before, during and following election day. Of the planned 5,243 polling centres, 5,199 were able to open and operate on polling day. Available statistical data do not provide conclusive evidence on the impact of security concerns on voter turnout, especially in the light of some political calls for boycotts.

24. As planned, counting took place immediately after the close of the polls, with the exception of a few centres where security required counting to be undertaken at the governorate level. In the weeks prior to polling day, the Independent Electoral Commission set up a tally centre, assisted by a team of international advisers. Its setting up included the physical arrangement of the centre, hiring of staff, arrangements made with the multinational force for living quarters, work-flow strategies, security management, storage and retrieval of forms, database

development and quality-control measures. This process was prepared and conducted in a manner that was transparent and open to observers and the media.

25. The Independent Electoral Commission provisionally reported the turnout of voters to be 8,550,571, of whom 263,685 voted from abroad. Of all these votes cast, only 94,305 (1.1 per cent of the total) were determined to be invalid. There was a continuous flow of agents and observers, who monitored the tally centre. Observers and agents were also present during the recount process, which included opening and counting a mixed sample of ballot boxes from various governorates at the national headquarters.

26. The Board of Commissioners of the Independent Electoral Commission has the authority to make determinations on complaints and disputes arising from the elections. An open process of complaints and resolutions was formulated and implemented by the Commission, supported by both Iraqi lawyers and international specialists. The official certification of the vote by the Commission took place on 17 February 2005, after all major complaints had been dealt with; the complaints outstanding that would be decided upon after the certification were assessed to be of such a nature that they could not affect the result. The elections met recognized international standards in terms of organization, regulations and procedures. This demonstrates the professionalism and effectiveness with which the Commission and the thousands of Iraqi election workers, trainers and monitors carried out their work.

27. From 111 competing political entities and coalitions, the election of 275 representatives to the National Assembly from a total of 7,785 candidates is testimony to the vibrant political environment emerging in Iraq. Moreover, the electoral system resulted in over 31 per cent of seats being awarded to female candidates — surpassing the goal established in the Transitional Administrative Law. The following period of constitutional, legislative and governmental activity will have a strong formative influence on the evolution of political groupings in Iraq and their approach towards the future elections of the transition.

28. The next phase of elections in Iraq, following the transition outlined in the Transitional Administrative Law, is no less daunting than the timeline and challenges of the 30 January election. The Electoral Assistance Division of the United Nations will soon convene an inclusive working group to review the past process. This group will include Iraqi and international institutions that were involved in the elections. The substance of the review will be to identify, structure and prioritize the work ahead with the benefit of the lessons learned in the recent elections.

IV. Update on activities of the United Nations Assistance Mission for Iraq

A. Political activities of the Special Representative of the Secretary-General inside Iraq and in the region

29. During the reporting period, my Special Representative and his political team concentrated their efforts on promoting dialogue and understanding between those who are participating in the political process and those who have remained outside. In all his discussions, my Special Representative stressed that the best way in which

different parties and constituencies could address their legitimate interests and concerns was through peaceful dialogue and compromise, with a view to reaching a consensus that reflects the legitimate interests and concerns of all. In response to many appeals from both Iraqi political leaders and Member States for United Nations assistance in supporting the political and electoral process, my Special Representative and his team met with Iraqi religious, tribal and political figures not only in Iraq, but also in Dubai, Amman, Beirut, Damascus and London. These discussions provided insight into the perspectives of a variety of political groups in Iraq with regard to their views on and participation in the political process.

30. My Special Representative continued his meetings with a wide range of Iraqi political leaders, such as the President, the Vice-President, the Prime Minister, the Deputy Prime Minister, the Foreign Minister and the Ministers of Finance, Human Rights, and Displacement and Migration, as well as with representatives from across the political spectrum, including representatives of the Supreme Council for Islamic Revolution in Iraq, the Islamic Da'wa Party, the Iraqi Islamic Party, the Iraqi Democratic Party, the Association of Muslim Scholars, the Iraqi Turcoman Front, the Al-Khoei Foundation and the Centre for Arab Unity Studies. He was also briefed by leading Iraqi academics in Baghdad and London. In addition to reviewing progress in the electoral preparations and the formation of the Transitional Government, he encouraged all concerned to ensure that the new Government and Transitional National Assembly provided mechanisms to enable those who had not participated in the elections, for whatever reason, to be represented adequately in the constitution-making process.

31. In the context of the seventh meeting of neighbouring countries of Iraq, held in Amman on 5 and 6 January 2005, the follow-up meeting to the Sharm el-Sheikh international ministerial meeting, held on 11 January 2005, and visits to Beirut and Damascus, my Special Representative was able to review the prospects for the elections and their wider ramifications with senior officials from the region and the international community.

32. In Amman, he described the role of the United Nations in the political and electoral process and emphasized that outreach efforts needed to be reinforced to ensure comprehensive participation in the elections and the need to continue these efforts after the elections. He met with the Prime Minister of Jordan and held bilateral discussions with the Foreign Ministers of Jordan, Kuwait, Turkey and Egypt and the Deputy Foreign Minister of the Islamic Republic of Iran. In Cairo, my Special Representative briefed the meeting about UNAMI assistance for Iraq's electoral process and building the capabilities of the Independent Electoral Commission of Iraq. He met the Iraqi Foreign Minister and the Secretary-General of the League of Arab States.

33. In Beirut, my Special Representative met the Foreign Minister of Lebanon and the former Prime Minister, the late Rafic Hariri. At the invitation of the Government of the Syrian Arab Republic, he held discussions with both the Foreign Minister and the Deputy Foreign Minister, as well as with members of the diplomatic community in Damascus. In his discussions, my Special Representative stressed the need to encourage Iraqi political actors to engage directly with each other to enable them to discern the political aspirations and objectives they shared, which could provide a basis for compromise and reconciliation. In turn, all regional interlocutors acknowledged the leading role of the United Nations in support of Iraq's transition as set out in Security Council resolution 1546 (2004).

34. During and after the election campaign, many Iraqi commentators raised the issue of Kirkuk as a potential flashpoint. The United Nations discussed the complex issues involved both with concerned Iraqi constituencies and with Member States. All acknowledged the need to reach a settlement in view of the issue's potential to engender tension and confrontation inside Iraq and negatively affect Iraq's relations with its neighbours. In its discussions, the United Nations stressed the need for all parties to act with restraint in order to provide an opportunity for a lasting peaceful settlement to be found.

B. Preparatory activities for a potential constitutional support role

35. In its resolution 1546 (2004), the Security Council decided that in implementing their mandate to assist the people and the Government of Iraq, as requested by the Government of Iraq, my Special Representative and UNAMI would play a leading role in promoting national dialogue and building consensus on the drafting of a national constitution by the people of Iraq.

36. Based on this mandate, there is a general expectation both inside and outside Iraq that the United Nations should play an active role in supporting the constitution-making process. My Special Representative has begun consultations with a wide range of Iraqi representatives. In his discussions, he has stressed that, to be successful, Iraqis need to take full ownership. In support of Iraqi efforts, the United Nations would be ready, if asked, to assist in four main areas: (a) political facilitation to promote dialogue on the procedures and structure of the constitution-making process, with a view to maximizing inclusiveness and participation and to fostering consensus on critical issues; (b) public information support for an Iraqi media campaign to maximize transparency; (c) technical assistance to the Iraqi constitution-drafting body; and (d) coordination of international assistance.

37. Preparatory activities in these four areas have been initiated, so as to enable the United Nations to deliver timely and effective assistance, pending an official request from the Government of Iraq.

C. Reconstruction, capacity-building and humanitarian assistance activities

38. United Nations agencies and programmes continued to support the reconstruction process in Iraq from both inside and outside the country. Whenever possible, the United Nations is implementing projects in Iraq through national United Nations staff and implementing partners, including contractors, non-governmental organizations and other partners tasked with project implementation. On 13 January 2005, I appointed Staffan de Mistura Deputy Special Representative for Iraq. On his first visit to Baghdad, he met with a variety of Iraqi partners and familiarized himself with the situation on the ground. In January 2005, a Deputy Reconstruction and Humanitarian Coordinator, who reports to the Deputy Special Representative, was deployed to Baghdad to coordinate communications with the Iraqi authorities on reconstruction and development issues and to enhance donor coordination.

39. The United Nations country team has engaged in a broad range of capacity-building activities, programmes and projects in collaboration with line ministries. From December 2004 to March 2005 the country team has carried out almost 100 capacity-building activities through technical training, workshops, seminars, conferences and high-level meetings, actively involving participants from all ministries and various civil society organizations.

40. The International Employment Conference for Iraq, organized by the International Labour Organization and cluster 10, which took place in December 2004 in Amman, was part of these activities. The Conference was well attended by the Iraqi authorities, trade unions, business leaders and donors. By adopting a plan of action and enlisting the active participation and endorsement of a large number of Iraqi counterparts, United Nations agencies and donors alike, the conference aimed to outline a set of policy measures needed to tackle the serious and urgent problem of high unemployment in Iraq.

41. Other capacity-building activities were carried out during the reporting period. Cluster 1 (education and culture) conducted workshops on school data entry, data collection on Iraqi sites and site security management. Cluster 2 (health) workshops covered control of mosquito vectors and communicable diseases, parasitology and immunology, food safety and psychiatric care. Cluster 3 (water and sanitation) providing training on drinking-water treatment, detection of trace elements, heavy metals and organic pollutants and tariff modelling for infrastructure investment. Cluster 4 (infrastructure and housing) provided training in techniques for upgrading slums and squatter settlements as well as in community action for self-help housing. Cluster 5 (agriculture, water resources and environment) held workshops for veterinary personnel management and on environmental law, site assessment and water resource management. Cluster 6 (food security) provided training to improve food security, project management and advocacy in health education. Cluster 7 (mine action) provided training in regard to landmine clearance, national de-mining teams, mine-risk education and health-community workers. Cluster 8 (internally displaced persons and refugees) provided training on the reintegration of returnees. Cluster 9 (governance and civil society) provided training in negotiation, management and financial accountability, human rights, detention monitoring and media skills.

42. Despite the continuing fragile security environment, the United Nations was able to continue reconstruction efforts throughout Iraq through implementing partners, which included the following activities: rehabilitation of schools, strengthening vocational education, rehabilitation of water treatment plants, rehabilitation of power plants and upgrading transmission systems, housing projects for selected vulnerable groups in urban centres, supporting the Ministry of Trade's public distribution system and procurement and delivery of food items, provision of technical assistance to the National Mine Action Authority, protection and material assistance for internally displaced persons and returning refugees, support for civil society through professional organizations and women's groups and support for the electoral process, including voter education programmes for women.

43. The UNAMI Humanitarian Affairs Unit continued to monitor the humanitarian situation and early warning alerts in crisis areas across Iraq, with particular attention to internal displacements as a result of military conflict and ethno-religious tensions. Through the Emergency Response Working Group in Amman, comprising

United Nations agencies, non-governmental organizations, Red Cross and Red Crescent organizations and relevant Iraqi ministries, UNAMI has been supporting the coordination of assessments and responses to emergencies. Of particular concern has been the situation in and around Fallujah, which generated approximately 50,000 to 60,000 internally displaced families. The majority remain in need of material assistance, given that their return to habitable areas has been problematic. UNAMI coordinated responses, such as the provision of tents, plastic sheeting and other non-food items by the Office of the United Nations High Commissioner for Refugees (UNHCR) for returnees; joint distribution of food and non-food items to 38,000 internally displaced families by the International Organization for Migration and UNHCR; the trucking of potable water by the United Nations Children's Fund (UNICEF) to surrounding areas where internally displaced persons are located; the provision of emergency medical supplies by the World Health Organization; and an assessment of return intentions and protection needs conducted by UNHCR through partners. In direct response, grants jointly administered by UNAMI and the Office for the Coordination of Humanitarian Affairs were also disbursed to three international NGOs to provide emergency supplies of food items, hygiene kits and non-food items to about 2,500 internally displaced families from Fallujah located in the surrounding areas and Baghdad.

44. Bulletins, activity matrices and briefing notes (available on the www.uniraq.org web site) have been circulated to members of the Emergency Response Working Group to facilitate information exchange and raise advocacy issues with the Interim Government regarding humanitarian access and protection. Civil-military coordination links with the multinational force have also been improved in Baghdad to promote dialogue on the issue of safe passage for relief convoys through humanitarian corridors and the importance of distinguishing between military and civilian personnel distributing aid. Furthermore, the inter-agency contingency plan was reviewed in late January 2005 to ensure future emergency preparedness and response strategies reflecting the evolving humanitarian context.

D. International Reconstruction Fund Facility for Iraq

45. Of the $664 million committed to the United Nations Development Group (UNDG) part of the International Reconstruction Fund Facility for Iraq, nearly $628 million has actually been deposited. Just under $495 million has been transferred to participating United Nations organizations to meet identified priorities in 53 projects. The largest beneficiary to date has been the infrastructure cluster, with $134 million allocated mainly to electricity and water projects. The education cluster has received $69 million, the agriculture cluster $62.5 million and the health cluster $62 million. The remaining funds are being programmed for approval by the UNDG Iraq Trust Fund Steering Committee in the near future.

46. As at the end of February 2005, the UNDG Iraq Trust Fund Steering Committee had approved programmes and projects to be executed by participating United Nations agencies worth $494.27 million. As at the end of December 2004, commitments amounted to about $230 million and actual disbursements to about $115 million. As at the end of February 2005, $108.5 million had been disbursed in support of the January elections in Iraq, through the election cluster (cluster 11). Through a special fast-track approval mechanism and without jeopardizing due

diligence, the Steering Committee was able to facilitate timely provision of the necessary technical inputs in support of the electoral process.

47. With almost all available funds allocated to identified programmes and projects, it has become quite important for donors to provide additional funds for the continuation of United Nations support for the reconstruction process. It is expected that the forthcoming donor committee meeting in Amman, planned for spring 2005, will help address this situation.

E. Human rights activities

48. Throughout the reporting period, UNAMI received consistent reports from individuals and community leaders, Government officials and national and international NGOs of excessive use of force against persons and property, as well as mass arrests by both the multinational force and Iraqi security forces (National Guard and police). Reports of ill-treatment of detainees and inadequacies in judicial procedures have continued. The Minister of Human Rights and the Minster of Justice have expressed their readiness to address this problem. The multinational force investigated and convicted those found guilty of abusing detainees in a number of cases.

49. The UNAMI Human Rights Office continues to work with Iraqi institutions and civil society to address the legacy of both past and present challenges with a view to fostering national reconciliation. Its interventions are based on the human rights programme jointly developed in 2004 with the Office of the United Nations High Commissioner for Human Rights (UNHCHR), other United Nations agencies and the Ministries of Justice, of Human Rights, of Displacement and Migration, of Women's Affairs, of Civil Society and of the Interior.

50. In January 2005, the Ministry of Human Rights and the UNAMI Human Rights Office, with the support of the United Nations Development Programme (UNDP), convened a meeting of the policy group composed of a wide range of representatives from the Iraqi Government and civil society. The policy group called upon the Government of Iraq to establish a National Centre for Missing and Disappeared Persons in Iraq and to enact the required legislation. The Prime Minister sent a letter of support. My Special Representative also addressed the meeting and expressed the support of the United Nations for the initiative. The resolution adopted at the end of the meeting called upon Iraqi society, institutions and individuals to cooperate fully with the National Centre to ensure that the fate of those who are missing, or who have involuntarily disappeared, is determined and appealed to the international community to extend its support to the National Centre for the successful pursuit of its humanitarian objective. On 20 February 2005, the Interim Iraqi Government issued a decree establishing the Centre. In a related development, the Human Rights Office is working with the Ministry of Human Rights and others to assist in the establishment of a national centre for the treatment of torture victims.

51. In December 2004, UNHCHR and the UNAMI Human Rights Office organized a "mapping meeting" in Geneva to share information on United Nations activities. The High Commissioner for Human Rights and the Ministers of Human Rights and of Justice attended and opened the meeting. Representatives from United Nations agencies and programmes (UNAMI, UNHCHR, UNDP, the United Nations

Development Fund for Women (UNIFEM), the United Nations Office for Project Services (UNOPS), UNHCR, UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO)) presented their planned activities in support of Government institutions and civil society, as well as in thematic areas such as administration of justice, transitional justice, human rights education, human rights and the media and the rights of women and children. Bringing together some 40 interested Governments and about 30 representatives of international civil society organizations, the meeting established a list of projected activities for Iraq in 2005 and 2006. Key recommendations included the setting up of a specific section on the UNHCHR web site for all human rights activities in Iraq undertaken by the United Nations, Governments, international organizations and NGOs.

52. The UNAMI Human Rights Office has engaged with the Ministry of Justice to further plan the implementation of projects addressing the reform of the Ministry, as well as the legal, judiciary and penitentiary systems.

53. Regarding Iraqi civil society organizations, the Human Rights Office, together with UNHCHR and UNOPS, is implementing a country-wide programme including conferences, seminars, training, research and publications. Following a conference on the role of civil society, held in Amman in December by UNOPS, in cooperation with UNAMI and the Ministry of Human Rights, a three-phase training-of-trainers programme in the area of human rights started on 10 February 2005.

F. Public information activities

54. The UNAMI Public Information Office has continued its efforts to publicize and raise awareness of the Mission's political, humanitarian and reconstruction work in Iraq through targeted outreach to Iraqis, media, donors and other stakeholders. This included the activities of my Special Representative in Iraq and abroad, particularly in regard to his efforts to facilitate dialogue among major Iraqi political actors and enhance support for a more inclusive political process in Iraq. In addition the Public Information Office publicized the work of the Mission's 11 clusters, covering education and culture; health; water and sanitation; infrastructure and housing; agriculture, water resources and environment; food security; mine action; refugees and internally displaced persons; governance and civil society; poverty reduction and human development; and electoral support. In this context, the Office has worked closely with implementing agencies working under the umbrella of UNAMI and cluster managers to deliver effective and targeted information on the clusters. It has provided in a timely manner briefings, press releases, media advisories, official statements and interviews, in addition to promoting conferences, training workshops for Iraqis and seminars organized by various components of the Mission.

55. The Public Information Office is promoting the next donors meeting, to be held in Amman in spring 2005. An information kit on the Mission's achievements and plans is being prepared in Arabic and English. In addition, in January 2005 UNAMI launched the publication of a monthly bilingual newsletter. The Office is also in the process of redesigning the Mission's web site to make it more user-friendly, achieve language parity and provide more core documents.

G. Establishment of a United Nations presence in Basrah and Erbil

56. Small United Nations liaison detachments of up to six staff members each were deployed to Erbil and Basrah on 1 and 12 February 2005, respectively. These liaison detachments include military advisers and security and support staff who will work with the multinational force to facilitate periodic visits, prepare United Nations facilities and assess the security conditions required for any expansion of the United Nations presence in Iraq. I am grateful to the Member States of the multinational force for providing support to the United Nations for the deployment of the liaison detachments. Additional arrangements for protection by the multinational force, as well by United Nations security personnel, will have to be put in place if the United Nations is to establish its own facilities in Basrah and Erbil.

H. Facilities

57. There are currently up to 64 UNAMI international staff in Baghdad, along with 134 members of the Fijian guard unit and 23 members of the personal security detail. Accommodation for United Nations staff in Baghdad remains limited. Securing additional interim accommodation that meets United Nations security standards is the main precondition for the deployment of additional United Nations staff to Baghdad. The construction of a 300-person facility is estimated to take up to 13 months for completion and will not meet short-term or mid-term requirements. Negotiations are under way with the multinational force and Iraqi authorities to secure additional interim accommodation as early as possible, including accommodation for up to 90 staff in a facility in the international zone. UNAMI intends to commence work on a $2.5 million logistics base for communications, transport maintenance and warehousing in mid-2005 in the international zone.

58. Pending an improvement in the security situation in Iraq and until secure accommodation is available to increase the current staff ceiling, UNAMI must continue to rely heavily on support from locations in Jordan and Kuwait for its operations in Iraq. While my Special Representative and his substantive, security and administrative support staff are based in Baghdad, the majority of humanitarian project planning and management activities are conducted from Amman, led by the Deputy Special Representative. The primary logistics support base is in Kuwait.

I. Agreements

59. On 29 December 2004, a bilateral agreement was concluded with the United States of America to obtain catering services, facility construction and renovation, vehicle maintenance, fuel supply, medical and military defence materials, training areas and welfare and recreation facilities for United Nations staff in Baghdad. In the prevailing environment, UNAMI operates from the international zone, supported by the Logistics Civil Augmentation Programme (LOGCAP), under the provisions of the agreement, as the only viable means of receiving uninterrupted life support. This is the most efficient and secure means of support at this time. It is estimated that, if current conditions continued such support arrangements would cost up to $22.9 million from January to December 2005. UNAMI is in the process of

establishing, where possible, independent arrangements to reduce its dependence on LOGCAP support.

60. A similar bilateral agreement with the United Kingdom of Great Britain and Northern Ireland for logistics support services in Basrah is currently in final stages of negotiation.

61. A status-of-mission agreement with the Government of Iraq remains under negotiation, and I urge the Government to provide as soon as possible its comments on the draft submitted by the United Nations in October 2004. The agreement concluded during the previous reporting period with the Government of Kuwait on UNAMI activities in Kuwait is currently awaiting ratification by the Parliament of Kuwait before it enters into force.

V. Security issues

62. During the reporting period, leading up to the national elections on 30 January 2005, much of Iraq was exposed to an extensive and well-planned effort to disrupt campaigning and voting. Levels of violence were very high, with sustained attacks on candidates, election workers and Iraqi and multinational security forces. The most serious attack took place in Hillah on 28 February, as mentioned in paragraph 12 above. While robust security arrangements and the determination of Iraqi voters enabled the elections to take place in most of the country, violence has again reached pre-election levels following a short abatement after 30 January 2005. There have been major attacks in Baghdad, Mosul, Erbil, Najaf, Karbala and Basrah, all indicating that, while the dangers are most intense and prevalent in the centre of Iraq, no part of the country is beyond the reach of hostile elements. With attacks using explosive devices and direct fire increasing in scale and sophistication, and the risk of hostage-taking, threats and risks outside heavily protected areas remain very high, and the security situation continues to be an overriding constraint for all United Nations activities.

63. The number of United Nations personnel in Iraq continues to be constrained by security conditions necessitating extremely well-protected living and working facilities within heavily guarded areas. Movement outside the Baghdad international zone, or similarly well-protected compounds in other parts of the country, continues to be extremely hazardous and therefore dependent on the protection of the multinational force. Under these conditions, any expansion of the United Nations presence in Iraq has of necessity been confined to the number of persons who can be accommodated in the Baghdad international zone, as well as the small security liaison detachments deployed to multinational force cantonments at Basrah and Erbil.

64. On 15 December 2004 the Fijian guard unit assumed from the multinational force the responsibility for "inner ring" protection of United Nations facilities within the Baghdad international zone. On 31 December 2005, two United Nations personal security details, consisting of personnel recruited from Fiji and trained and equipped with the assistance of a number of Member States, took up the personal protection function previously carried out under interim arrangements by the multinational force. Preparations for the recruitment of a third personal security detail are now under way. The integrated United Nations security structure referred to in paragraph 23 of my previous report continues to be developed in line with

security conditions and the numbers of UNAMI and associated United Nations personnel deployed in Iraq, Jordan and Kuwait.

65. While the United Nations is now capable of discharging its "inner ring" protection responsibilities in Baghdad, the multinational force will continue to provide "middle ring" and "outer ring" protection to the United Nations, including escort of convoys. The Secretariat has received comments from the United States of America with respect to the agreement on protection by the multinational force, referred to in paragraph 21 of my previous report. These comments are now the subject of negotiations in anticipation of the finalization of the agreement in the near future.

66. As indicated in paragraph 22 of my previous report, on 30 November 2004 I established a United Nations trust fund to accept and administer contributions from Member States for the purpose of supporting a distinct entity under the unified command of the multinational force (the "middle ring") with a dedicated mission to provide security for the United Nations presence in Iraq, in accordance with Security Council resolution 1546 (2004). As at 1 March 2005, a total of $8.3 million had been deposited in the trust fund by 11 Member States. A mechanism for the disbursement of funds to Member States providing troops to the distinct entity is being finalized. The United States of America informed the United Nations that the first troop contingent contributed to the distinct entity, by Georgia, will be deployed to Baghdad in March 2005.

67. Aircraft, together with their cargo and passengers, continue to be exposed to a high level of threat both on the ground and when in Iraqi airspace. In view of the robust and well-integrated security systems and arrangements that are required for air operations within and to Iraq, the United Nations will continue for the present to rely on the multinational force for air transport to Baghdad, Erbil and Basrah. In order to minimize the number of international staff required in Iraq to achieve its mandated tasks, the United Nations will also continue to rely heavily on logistical, medical and administrative services provided by Member States on a bilateral, cost-recoverable basis.

68. In paragraph 26 of my previous report, I stated that establishing the necessary security arrangements for the United Nations to operate in Iraq would be a time-consuming and expensive process. Therefore, the understanding of Member States in allocating the necessary resources and equipment to UNAMI to mitigate the very high level of threats and risks attached to the work of the United Nations in Iraq is much appreciated.

VI. Observations

69. The holding of the elections on 30 January 2005, for the Transitional National Assembly, 18 Governorate Councils and the Kurdistan National Assembly, marks the completion of an important first step in Iraq's political transition to the restoration of full sovereignty and the return of peace and stability, and opens the way to national reconstruction. Despite the limited time frame and the exceptionally difficult circumstances in which the elections took place, a large number of Iraqis in many parts of the country exercised their right to vote or ran as candidates. It is of course a matter of regret that far too many Iraqis did not participate, some to make a political statement, others as a result of serious and unacceptable violent means used

to intimidate voters and disrupt the process. The fact that the elections met recognized international standards in terms of organization, regulations and procedures demonstrates the professionalism and effectiveness of the Independent Electoral Commission of Iraq, as well as the thousands of Iraqi election workers, trainers and monitors in carrying out their tasks.

70. I am pleased that the United Nations, under the overall responsibility of my Special Representative, Ashraf Qazi and the able direction of the United Nations Chief Electoral Officer in Iraq, Carlos Valenzuela, and with the support of the team at Headquarters headed by the Director of the Electoral Assistance Division, Carina Perelli, was able to assist the Independent Electoral Commission of Iraq in ensuring that all the necessary preparations for the elections were put into place. As part of the international electoral assistance team led by the United Nations, experts from the European Union, the United Kingdom of Great Britain and Northern Ireland, Chile and the International Foundation for Election Systems played an important support role as well. Security forces, both Iraqi and international, ensured a relatively secure environment for the elections.

71. The outcome of the elections offers a new opportunity for Iraqis to cast off the legacy of war and dictatorship and build the foundations for a democratic and prosperous Iraq, at peace with itself, its neighbours and the international community. Yet elections are but a first step for achieving these goals. Regional variations were significant, and the turnout in areas with a majority of Arab Sunnis was markedly lower than for other communities. As noted above, the security situation remains a major challenge. It will be critical in the coming weeks to build upon the positive momentum generated by the elections.

72. The key to a successful transition is that it be as inclusive, participatory and transparent as possible. This means creating a sustainable political process that all Iraqis feel they have a stake in. Failure to engage in national dialogue and reconciliation could bring strife far more damaging than the compromises necessary for reaching a national consensus achieved through peaceful means.

73. A number of Iraq's political groups that the Transitional Government seeks to include in the political process insist on their demands being considered, including with regard to a timetable for the withdrawal of the multinational force. In turn, the Transitional Government is likely to insist on the prior need to establish a reliable indigenous security capability and on requiring groups that make such demands to demonstrate in practice that they are not wedded to pursuing anti-democratic agendas by violence in cooperation with extremists and terrorists.

74. The making of Iraq's new constitution can be instrumental for forging a new national consensus. Issues that touch on the future character of the State and the relationship between Iraq's diverse communities are bound to arise. It will be important that the new Iraqi leadership signal clearly that all Iraqis will have the opportunity, and are encouraged, to participate fully in the process.

75. Now that elections have taken place, Iraqis expect tangible dividends, particularly in terms of security and living conditions. The better and the faster that Iraqi security forces can be trained, the sooner they will be able to assume their responsibilities and fully take charge of the country's security. Particular care should be taken by those responsible for ensuring security to see that their actions do not adversely affect the civilian population. Similarly, attention needs to be given to

creating conditions for the return and reintegration of those displaced as a result of violence and military action.

76. Priority attention must be given to addressing the basic needs of all Iraqis. Job creation, infrastructural improvements, institutional capacity-building and effective delivery of basic services are essential for making the political and security context more conducive to a successful transition process. Efforts in this area must therefore be intensified.

77. To meet these challenges ahead, the new transitional institutions of Iraq will need continued and active support from the international community. The United Nations has accompanied the Iraqis at every step of their political transition so far. We are determined to continue to do everything possible to implement our mandate under Security Council resolution 1546 (2004), as circumstances permit. The United Nations has considerable experience in supporting and facilitating transitional processes, often under difficult conditions. Iraq, however, has all the human potential and material resources to take charge of its own destiny. The United Nations can best contribute to helping Iraq by supporting the creation of enabling conditions for the political and economic reconstruction of the country.

78. The next step in Iraq's transition is the constitution-making process. Full Iraqi ownership of this process will be particularly important. On the basis of the mandate contained in resolution 1546 (2004), my Special Representative is already consulting with a wide range of Iraqi representatives to promote dialogue and consensus-building in support of the political transition, including the constitution-making process. There are many ways in which the United Nations could provide specific help, including technical assistance, public information support and coordination of international assistance. I welcome the recent statement by the President of the Security Council encouraging members of the international community to provide advisers and technical support to the United Nations to help us fulfil our role. We stand ready to work closely with the elected members of the Transitional National Assembly and other representatives of Iraqi society to assist in this process, as and when requested by the Government of Iraq.

79. We are equally committed to continuing to assist the Independent Electoral Commission of Iraq in making the necessary preparations for the national referendum on the constitution and the elections that are to follow so as to ensure that they fairly and accurately reflect the will of the Iraqi people.

80. The work of UNAMI in the reconstruction, development and humanitarian areas is driven by Iraqi demands and priorities. On the basis of the United Nations strategic plan for Iraq for 2005 to 2007, developed within the framework of priorities set in the Iraqi national development strategy, 23 United Nations agencies, programmes and funds are working from both inside and outside the country to ensure a coordinated and efficient effort in providing reconstruction and humanitarian assistance to Iraq. With new security and accommodation arrangements recently put in place, we increased the number of international UNAMI staff in Baghdad and deployed United Nations liaison detachments to Erbil and Basrah, to explore the possible expansion of our reconstruction and humanitarian activities inside Iraq, as circumstances permit.

81. As we work to normalize the situation inside Iraq, every effort should be made to normalize Iraq's relations with the region and with the international community at

large. Iraq's neighbours have legitimate concerns and should be heard. Iraq's sovereignty, political independence and territorial integrity must also be fully respected. A sovereign Iraq naturally aspires to regain its rightful place among the community of nations. I welcome the initiative launched at Sharm-el-Sheikh in November and the ongoing regional process among Iraq, its neighbours and other countries of the region. These efforts should be pursued in a sustained and effective manner. For my part, I intend to continue to foster greater regional and international convergence in support of Iraq's political transition.

82. The elections held on 30 January mark an important milestone in Iraq's transition. Iraqis are looking to their elected leaders to deliver on the promise of a peaceful, democratic and prosperous Iraq. The international community shares a common agenda to support the Iraqi people in this endeavour. The challenges ahead are real; but so, too, are the opportunities. In fulfilment of our mandate, and circumstances permitting, the United Nations will spare no effort to meet the expectations of the Iraqi people through this critical period of their history.